

SENATE BILL 1735

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 50 and Title 49, Chapter 6, Part 10,
relative to the Tennessee Student Health Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, is amended by inserting sections 2 through 9 of this act as a new, appropriately designated part thereto.

SECTION 2. This part shall be known, and may be cited as, the "Tennessee Student Health Act".

SECTION 3. Each local education agency shall establish for its district a student health advisory council by January 31, 2008. The council shall be composed of members of the community who are licensed professionals and knowledgeable with respect to education and educational curriculum, nutrition, and health and fitness, and a representative of the school nutrition program. The council shall develop a plan to specify how the local education agency shall develop and implement physical education programs that encourage students to build strength, maintain flexibility and participate in aerobic exercise as a means of developing lifelong habits of fitness and health. In addition, the council shall assess the local education agency's compliance with health, nutrition and physical fitness curriculum requirements, as well as its compliance with laws, regulations or policies regarding vending machines, food services and the nutritional content of food served to students and anti-tobacco policies or educational efforts on an annual basis. The school health advisory council shall coordinate its efforts with the plans of the county or regional health councils.

SECTION 4. Every public school student in kindergarten through grade eight (8) shall participate in physical education and physical activity for the entire school year. Students in kindergarten through grade five (5) shall participate in physical activity for at least one hundred

fifty (150) minutes during each school week. Students in grades six (6) through eight (8) shall participate in physical education and physical activity for at least two hundred twenty-five (225) minutes during each school week.

SECTION 5. Each school shall have a licensed physical educator who shall oversee the implementation of the physical education and the physical activity programs.

SECTION 6. The state board of education shall provide for a program of instruction that includes physical education academic content standards. Such standards shall include a sequential, developmentally appropriate curriculum that is designed, implemented and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their lives. Local education agencies shall offer instruction in physical education that meets such physical education academic content standards.

SECTION 7. The state board of education shall create, and fill, a position for a director of physical education who shall:

- (1) Seek funding and resources to enable the local education agencies to meet standards for qualified physical education teachers and programs by 2011;
- (2) Serve as a resource and support person for any school or local education agency seeking information relating to physical education; and
- (3) Coordinate or oversee any state or local physical education workshops, in-services, or other physical education developmental training opportunities for those persons providing physical education to students in public schools.

SECTION 8. All teachers of physical education in kindergarten through grade eight (8) shall be adequately prepared and shall regularly participate in professional development activities to effectively deliver the physical education program.

SECTION 9. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 10. Tennessee Code Annotated, Section 49-6-1022, is amended by deleting the section in its entirety.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.